## WASHINGTON CITY.

WEDNESDAY, DECEMBER 22, 1858

ABSOLUTE POPULAR GOVERNMENT IN THE TERRITORIES.

A resolution has been offered in the House of Rep resentatives, proposing the enactment of a law referring the appointment of governors, judges, and other territorial officers to the people of the Territories at the polls. This is the ne plus ultra of the theory of squatter sovereignty. Blackstone lays it down that every wise law is the result of the experience of mankind in practical life, and is founded upon some good and sufficient reason; and that it follows as a sound principle of legal construction and judicial interpretation, that when the reason of such a law ceases, then the law itself should become defunct, the maxim being, cessante ratione, cessat et ips iex. It cannot be urged in excuse for such a law as is now proposed, that any evils have resulted from the present mode of appointing the chief officers of the Territories, which demand an abandonment of it; or that the mode of appointment now proposed would correct such evils as do prevail, and would not itself be attended with like or greater evils.

We cannot imagine a single evil that the proposes mode of appointing territorial officers would avoid or a single practical advantage that it would accom plish. It lacks the most essential ingredient of every wise law-that of being founded upon sound practical reason. It is the suggestion of mere theory, regardless of experience and reckless of practical consequences. It is the proposition not of statesman ship, but of mere idealism; unless, indeed, it be the cunning artifice of demagogueism. It is the quintescence of French red-republicanism, not proposed to be introduced into the government of stable and firmly-planted society in old States, where it would be comparatively innocuous; but into new, infant, immature, unstable, and rickety communities, where conservatism exists in no form, and where the sustaining hand of federal conservatism, stretched out to steady, strengthen, and to save, comes as a godsend.

We seem always to forget that our system popular government is an experiment; one that has been often tried in the eventful history of mankind under circumstances fully as favorable and promising as those which surround us, but which has always failed until now. We are but three-quarters of a century old in government-a very small portion of the infancy of a nation-and we already have concluded that our success is complete. Nay, in the pride of our overweening confidence, we are presumptuously applying the most severe tests to our institutions, tests which, but for their extraordinary vigor, would already have shattered them to pieces. We cannot imagine a more severe trial to popular institutions than the enactment of laws which do not spring from the exigencies of practical, outdoor life, are not called for by any experienced evil, and promise no practical advantage; but are the mere suggestions of abstract theory the deductions of a crazy idealism working itself into a frenzy of philanthropic innovation, in the closet. This sort of legislation was pursued in France for a few memorable years, and ended in a catastrophe which will astonish and appal mankind to the end of time. The stability of British institutions is for the most part due to that sturdy common sense of the Anglo-Saxon race, which always sternly rejected reforms which were founded in mere theory, and adopted no law that was not justified by some sufficient practical reason. The strength of British institutions consists in the fact that they rest upon the broad and solid basis of the English Common Law, a system of laws which grew up upon the experience and transactions of actual life extending down from remote times whereof the memory of man runneth not to the contrary.

It is to the sound wisdom of this same old English Common Law, which was the foundation of all our American codes, that the stability of our own institutions and the success of our experiment of selfgovernment so far, are mainly due. It is not that the especial provisions of the Common Law, so many of which we have abrogated, were essentially the wisest or best in every case which theory would suggest; but that they were founded always in some practical reason suggested by actual experience. The only true and real conservatism is at last, not the adhering to old laws because they stand on the statute book, but the not abolishing them unless sufficient practical reason for so doing exists, and the not adopting others unless some positive practical advantage is promised by new enactments.

Herein was all the wisdom and conservatism o the old Common Law system, that each law was founded upon some reason which it adequately subserved. We cannot hope to enjoy the stability and happiness which that noble system of laws has secured to us in this land as it did to our acceptors in the fatherland, unless we adopt at least this, its leading canon, in the repealing of old statutes and the enactment of new ones. Tried by this test, we defy a successful defence of the proposition now brought forward for radically changing our whole plan of territorial government. What experienced evil does the innovation propose to remedy? What conceivable advantage does it profess or promise to accomplish?

If the measure is merely brought forward as a p litical manœuvre or partisan artifice, it of course descrives to be rejected for that reason alone, and does not merit any grave consideration.

THE SUIT OF PASSMORE WILLIAMSON AGAINST

JUDGE LEWIS.

We see by the Philadelphia papers that the suit of Williamson against the late Chief Justice Lewis. arising out of indicial proceedings in the case of Col. Wheeler's slaves, has, at length, been decided in favor of the defendant. The public, it will be remembered, was very much agitated two or three years ago by the sharp work of the Pennsylvania lawyers against the late Judge Kane and Justice Lewis. The Tribune, and, indeed, all the black-republican journals, took part for Williamson. He was nominated for a high elective office, and it was confidently counted that the abolitionists had made a capital hit in the martyrdom of Passmore. The Habeas Corpus was widely treated as a general paskport which anybody might invoke, and by which rogues and felons could demand a bearing before the judge of their own selection. Respectable newspapers insisted that to confine the process to cases of illegal imprisonment was to destroy its efficacy as a writ of right. They proposed to arm every judge with it; and declared, poal was get

in all cases, that a failure to issue it on application was not only an offence against the law, but a greater offence against popular rights. Their reasoning led them to the absurd and ridiculous position that the judiciary was established to screen offenders and not to protect honest people. They assailed the democratic party, it will be remembered, on the same grounds for urging and endorsing the enactment of the fugitive-slave law, declaring that the act repealed the Habeas Corpus. The Press says, in Williamson's case:

"The court, after hearing all the plaintiff's evidence, directed a non-suit, on the ground that the habeus corpus act did not apply to cases of commitments in execution of final judgments after trial, but only to warrants of arrest issued before trial. It seems to be sottled that a judge has no right to allow a writ of habeus corpus where it appears, on the applicant's own showing, that the prisoner is legally imprisoned under the sentence or judgment of a court of competent jurisdiction, as was the case with Mr. Williamson.

Mr. Williamson.

"Thus, although it is highly probable that Mr. Williamson will carry the case still further, this vexatious case may be said to be settled on enduring principles. Ex-Chief Justice Lewis (now private citizen Lewis) declined taking advantage of any of the technicalities of the case, but three himself for vindication upon the principle. ple which regulated his original action, and on this it ould appear he has been triumphantly sustained.

There is a lesson in this case which we trust will not be without effect, and which is applicable to both sections of the Union. The abolitionists contended that the fugitive-slave law was void, because it violated natural rights; some of the southern people maintain that the penalties imposed upon the forign slave trade are void for the same or a less ten-

### A CARD FROM HON. MR. ENGLISH.

My attention has been called to the statement inserted in the Washington papers of yesterday, at the request of Hon. Win. Montgomery, purporting to give an account of his rencontre with me on Saturday last. I propose saying but few words in relation to it. I neither know nor care who the parties are who made the statement, as it carries on its face conclusive evidence of its partial and exparte character. That different versions of such an affair s xist might be expected; and that the part that I took in it should be grossly misrepresented occasions me

I shall not hunt up counter-statements from hackmen I shall not built up counter-statements from mackmen or others; neither shall I engage in newspaper contro-versies about it, invoke the protection of the law, or the intervention of the police. I neither seek, nor have sought, any difficulty with Mr. Montgomery—I shall avoid none. When I met him on Saturday I was not aware (nor am I vet) that I had by word or deed given him any cause for offence; and when, in friendly recognition, I extended in my hand, I addressed him in terms courteous, polite, and gentlemanly. This friendly salutation was met in a rude and insulting manner, which I resented, on the instant, in the most effective way then in my power. The blow fell as quick as it could reach the object after

the insult was given.

For this I was recognised to court, at the instance and upon the affidavit of Mr. Montgomery, and this is the whole transaction in a nut shell. The details of the rencontre, or which got the best of it, or whether the bla contre, or which got the cess of it, or whether the blance rests upon one, both, or neither, are matters about which I shall not bandy words. On my part the collision was wholly unpremeditated and without malice—an impulse pased upon an unexpected and unprovoked indignity of fered me. WILLIAM H. ENGLISH.

FRAUDS ON THE PENSION OFFICE.

DECEMBER 21, 1858.

We understand the Commissioner of Pensions has rereived information from his special agent, now in Tennessee, of the arrest of Willis N. Arnold, of Henderson ounty, and of Henry Wright, of Lexington, in that State for frauds committed by them under the bountyland laws. The parties were taken before Judge Humphreys at Nashville, and the former held to bail in the aum of \$20,000 for his appearance at the term of the federal court to be holden at Jackson in April next. The latter, after his arrest, became, or feigned to have be come, insane, and is now undergoing a preliminary medial examination.

## THE AGRICULTURAL CONVOCATION.

Mr. R. J. Gage, of Fair Forest, South Carolina, secretary of the State Agricultural Society, says, in reply to a letter of invitation from the United States Patent Office, dated December 13, 1858, in reference to the convention of agriculturists to be held in the city of Washington on the 3d of January:

"You are right, sir : concert in action and opinion i what the agricultural population require. They have not learned the secret power of association for the protection of their own rights or the protection of their own olans. You have my best wishes for the success of your laudable efforts, and may always rely upon my humble support.

## PERSONAL PARAGRAPHS.

Hon. John Nelson, of Baltimore, is at Kirkwoods' M. Kunkel, of Maryland, is at Willards' Hot Hon. Z. Kidwell, of Virginia, is at Browns' Hotel.

Sir Francis B. Head appears in print as the solitary defender in England of Louis Napoleon's conduct in the Montalembert affair Mr. John Langdon Sibley, the librarian of Harvard

College, has been for many years collecting materials for a complete and elaborate biography of all the graduates

Cyrus W. Field learns that some very good current en received over the Atlantic cable, and that De auty has recognised one word. Mr. Mowbray Morris, general manager of the Lo

Times, was recently twice flogged in London by a Mr. Gapron, who charged him with improper attentions to his Rev. Thomas K. Beccher, of Elmira, New York, has

just been appointed captain of militia. Capt. B. is quite an original pulpit orator, though his reputation is not quite so wide as his brother, H. W. Beecher. Captain McGowan, in the last outward passage of the earnship Illinois for Aspinwall, got up a false alarm of

fire for the purpose of disciplining the fire department of his ship to a strict conformity with the fire bill, so that in case of emergency each man will readily know his duty and place. He was not arrested. Mr. F. W. Gisborne arrived at Boston in the steam

AIT. F. W. distorne arrived at Boston in the steam-ship Atlantic on Saturday with papers and full powers from the Nova Scotia Telegraph Company to unite with a Boston company in securing direct telegraphic cennexion between Boston and Halifax. It is to be hoped that this arrangement can be carried into effect.

Prof. De Bow has engaged with David Graham, esq., and Jugge A. S. Fulton, to open their lead properties on New River, Wythe county, Virginia, and for the purpose has sent on Mr. William Redfeone Parmley, a practical and experienced miner and engineer, from the celebrated lead hill mines of Durham, England.

Darley, the inimitable, is winning golden opinions among all Boston artists and art-lovers, by an exquisite among all poston are all poston and procession of John and Priscilla Alden, proceeding to procession of John and Priscilla Alden, proceeding to their new habitation. The grouping of the figures, the grace and gase of attitude, and the careful attention to the minute details which decide the merits of a picture, have stamped in the minds of artists this last effort of Darley as his best, and the many people who examine and admire it shows the favor with which it is received.

A brief and neat report of the Howard Association in New Orleans is before us. It is the result of their labors in the epidamic of this year. They had under their case 3,414 cases; of these, 2,643 were cured—771 died—about 20 cent. Of the whole number, only 409, were natives of United States : Ireland furnished 1,485, and Germany the United States: Ireland turnshed 1,485, and Germany 1,696 objects for the care of this generous association. The cash furnished, and pearly all expended, an ounted to \$45,264 53. This sum was furnished by the people of New Orleans themselves; but the association exturn their warmest thanks for the offer of its friends in other places to collect funds for their use. "Charity should begin at home" was their motto; and when they were in need, they appealed to their people at home, and the ap-

# CONGRESSIONAL

THE WASHINGTON-UNION

Thirty-Fifth Congress--Second Session

TUESDAY, DECEMBER 21, 1858

SENATE.

A message was received from the President of the United States, in compliance with a resolution of the 7th January last, requesting him to communicate the official despatches and correspondence of the Commissioners in China with the State Department; which was read and

ferred to the Committee on Printing.

[The President encloses a letter from the Secretary of State, covering all the correspondence from the 26th of October, 1853, to the 7th August, 1857, and remarking October, 1853, to the 7th August, 1857, and remarking "it does not appear that the resolution asks for in-structions of this Department to Messrs. McLane and Parker, and it is not deemed advisable that they should be made public at this juncture." The document is ex-ceedingly voluminous, occupying at least five reams of

foolscap paper.]
The VICE PRESIDENT laid before the Senate a com The VICE PRESIDENT laid before the Senate a com-munication from the Secretary of War, made in compli-ance with a resolution of the Senate of the 16th instant, calling for the annual report of Lieut. Col. J. D. Graham on the Lake harbors, from Lake Michigan to Lake Cham-plain, including Lakes Eric and Ontario. The Secretary states that the report in question has already been com-municated to Courtees in the decomposite framework. municated to Congress in the documents transmitted with the President's message and accompanying documents at the opening of the present session. The communica-tion was ordered to lie on the table.

#### MEMORIALS, ETC.

The following memorials and petitions were presented The following memorials and appropriately referred:

By Mr. SEWARD: From manufacturers of gold and

silver leaf in the city of New York and other places, praying a modification of the tariff of 1857 in respect to gold and silver leaf and the articles used in their manu-

Also, three memorials from inhabitants of Oueida and

Also, three memorials from inhabitants of Oucuta and Jefferson counties, New York, praying the crection of a breakwater at the port of Cape St. Vincent.

By Mr. FOOT: From Jeremiah Thornton, asking to be allowed an invalid pension for a wound received in the last war with Great Britain. Mr. F. remarked that he was personally acquainted with the memorialist, and, having investigated the case and found it to be a meritoious one, he invoked the early and favorable considera-

ion of the Committee on Ponsions to the subject.

By Mr. DAVIS: From Theodore Lewis, military stor sceper at the Washington arsenal, praying compensation for performing the duties of assistant commissary of sub-

sistence.

By Mr. FITCH: From the Pacific and Pueblo City
Railroad Company, asking a grant of land to aid in the
construction of their road.

Also, from the Leavenworth and Fort Gibson Railroad

ompany, in Kansas, asking a grant of land to aid in the matruction of that road. By Mr. BRODERICK: From George C. Johnson, asking the passage of a law to test the validity of a Mexican grant by the district court of the United States for the northern district of California. By Mr. BRIGHT: From Gilbert Vanderwerken, ask-

ing that the bill passed by the House of Representatives in relation to a railroad along Pennsylvania avenue, in the city of Washington, may become a law.

REPORTS FROM COMMITTEES. Mr. PEARCE, from the Committee on the Library, to which was referred the bill to authorize the President to make advances to Hiram Powers, reported it back with a commendation that it pass.

ad a third time and passed.

Mr. SEBASTIAN, from the Committee on Indian Affairs, to which was referred the resolution of the legislature of Minaesota in relation to the Sioux and Winnebago reservations, asked to be discharged from the forther consideration of the same, and that it be referred to the Secretary of the Interior; which was

Mr. JONES, from the Committee on Pensions, to which was referred the memorial of Lewis Purdy and others of was referred the memorator Levis Fully and offices the Black Hawk war, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Lands; which was agreed to.

Also, from the same committee, reported back the bill for the relief of Wm. Wallace, of Illinois, with an amend-

Mr. THOMPSON, from the Committee on Pensio submitted an adverse report on the petition of Willian Welch, a soldier in the last war with Great Britain.

RESOLUTION SUBMITTED. Mr. SEWARD submitted the following resolution; and

sked its present consideration : Resolved. That the Committee on the Judiciary inquire whether provisions of law are necessary by way of amendment to exist aws which prohibit the African slave trade, to secure the effect

Mr. DAVIS objected to its consideration, and it lie ver under the rule

#### RESOLUTIONS ADOPTED On motion by Mr. CLAY.

Resolved. That the President be requested, so far as is compatible with the public interest, to lay before the Senate the correspondence between the Mexican government and Mr. Forsyth, minister of the Jintel States to Mexica, and the correspondence of the State Department on the subject of Mexican affairs referred to in his late annuencessage, and such other correspondence as may be necessary to eleidate the complications which resulted in the supersion of dislomatic relations with Mexico by the United States legation in tha country.

On motion by Mr. DOOLITTLE,

Resolved, That the Secretary of the Navy be directed to com-

On motion by Mr. DAVIS, Resident, That the Secretary of War be requested to con the Senate such correspondence and other information as ossess in relation to the claims of British subjects to pu-ghts in the Territories of Oregon and Washington. On motion by Mr. SEWARD,

Resolved, That the Secretary of War be requested to communio to the Senate whether, from any information now in his departur or which can be obtained, there is, in his opinion, now belonging he United States any land in the tarbor of New York, or its vicit which can properly be appropriated to the use of the revenue de-partic, in case the same should be required for such purpose.

Mr. WILSON submitted a resolution that the usu Mr. Wilson submitted a resolution that the usua number of copies be printed, for the use of the Senate, of the accounts of the Treasurer of the United States and o the Second Auditor, communicating copies of accounts of liabursements for the benefit of Indian tribes; which was referred to the Committee on Printing.

## BILLS INTRODUCED.

The following bills were introduced and referred to ap By Mr. BROWN: A bill conferring certain powers of

e Corporations of Washington and Georgetown.

[This bill confers the power upon the two Corporatio
supply the inhabitants within their limits with wal from the pipes laid by the United States, and to make a laws and regulations for the proper distribution of the same, provided that no greater charge be made than is now peld by the inhabitants of Philadelphia; and provided, further, that no expense shall devolve upon the Uni ded, further, that no expense shall devolve upon the Oni-ted States in consequence of such distribution. It is made competent for the Corporation to borrow, in such propor-tions as they may deem expedient, not to exceed \$100,00 for Washington, and \$50,000 for Georgetown, to be made redeemable within ten years out of the revenues derived from water rents; provided that the assent of a majority of the legal voters shall have been first obtained, at an

election to be held for the purpose, at such time as municipal authorities may direct.] By Mr. SEWARD: A bill authorizing the removal of the offices belonging to the United States occupied by the collector of the revenue, in connexion with the quaran-tine station in the port of New York. By Mr. BAYARD: A bill to provide for the holding the courts of the United States in the State of Alabama.

ST. CLAIR PLATS. On motion by Mr. CHANDLER, the Senate proceese

On motion by Mr. CHANDLER, the Senate processed to the consideration of the bill making an appropriation for deepening the channel over the St. Clair Flats, in the State of Michigan.

The bill was read a third time, and passed by the fol-

lowing vote: lowing vote:

YEAS—Measrs. Allen, Baies, Broderick, Cameron, Chandler, Clark, Collamor, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Kennedy, King, Pearce, Rice, Seward, Shieblas, Sammons, Thomson of New Jersey, Trumbull, Wade, Wilson and Wright—29.

NAYS—Messrs. Bayard, Bigler, Bright, Brown, Clay, Clingman, Davis, Etch, Fitzpairick, Green, Hammond, Houston, Iverson, Johnson of Tennessee, Mallory, Mason, Reld, Schastian, Stockl, Thompson of Kentucky, Toomba, and Ward—22.

reception of the Senate, and that an address from the Vice President on the occasion of the removal would be appropriate. The committee therefore submit the follow-

ing resolution : Resident, That the Superintendent of the Capitol exten rected to prepare the chamber for the occupancy of the Senate by th fourth day of January next, and that a committee of three be ap-pointed by the Chair to make all the necessary arrangements.

Mr. IVERSON desired to know whether any arrange ent had been made with regard to the seats which the laters would occupy in the new hall. Unless some plan could be adopted, he presumed there would be a general scramble for the best seats.

Mr. BRIGHT rose to reply; but
Mr. HALE objected to the consideration of the resolu-

tion to-day; and it accordingly lies over.
Subsequently, Mr. SEWARD remarked that if the sen Subsequently, Mr. SEWARD remarked that if the sen-ator from Indiana would call up the subject again he had reason to believe that Mr. HARE's objection would be

Mr. MASON stated that he should renew it

On motion by Mr. SHIELDS, the Senate proc the consideration of the bill for the relief of Thomas Laurent, surviving partner of the firm of Beata Thomas Laurent

Mr. S. explained the circumstances under which the claim arose, and hoped the bill would be immediately

but the hour for the consideration of the special order having arrived, the further consideration of the bill was

### PACIFIC RAILROAD BILL.

The Senate resumed the consideration of the Pacific railroad bill, the pending question being on the motion of Mr. Winsox to strike out in the first section the words, "the most eligible route, reference being had to feasibil-ity, shortness, and economy," and insert in lieu theroof, the shortest practicable route between the parallels o

latitude thirty-five and forty-two."

Mr. WILSON modified his amendment so that it would read "between the parallels of latitude thirty-four and

Mr. WARD moved to amend the amendment so that the road would start from some point between the forty fifth parallel of north latitude and the southern boundary of the United States, and run to the nearest eligible point on the coast of California, reference being had to short ness and economy. He submitted a further amendment reducing the amount to be advanced by the government rom twenty-five millions to ten millions of dollars.

Mr. W. addressed the Senate in favor of these am

He believed that the route from the Mississipp river, by the way of Fulton and El Paso, was the shortest route by fifty per cent.: but if, on further examination any shorter one could be found, it should by all means be adopted. It was only 650 miles from El Paso to Sar

lego.

Mr. SEWARD was glad to hear these different proposi tions advanced, as it showed that a deep interest was being felt in this important subject. He advocated the bill reported by the committee as the best measure that would be likely to command a majority of the votes of Congress, although not perhaps in all respects such a bill as he would have preferred. He would like to have the road commence at a high northerly latitude, and go directly across the continent in the northwestern track directly across the continent in the northwestern track of emigration, which has been pursued from the time the lake navigation was opened until we find a population already gathered upon the shore of Lake Superior. Mr. S. proceeded to enlarge upon the varied advantages which would result from this great enterprise in a com-mercial and military point of view. Such a road would multiply pages and order money the savage tribes which aintain peace and order among the sayage tribes which oam over the interior of this continent : and if need be which God forefend, in the new Territories which may be hereafter organized in that region. If there had beer a Pacific railroad, there would have been none of those disturbances in Utah which have existed for a few years

On the conclusion of his remarks the Senate proceeded to the consideration of executive bus me spent therein,
The Senate adjourned.

#### HOUSE OF REPRESENTATIVES. Mr. KELLOGG, of Illinois, asked consent to introduc

the following resolution:

Resolved, That the Committee on Territories be instructed to report to this House a bill that shall embrace all the organized Territories of the United States, providing for the election by the people of all territorial officers now appointed by the President. Also, providing for the donation of one hundred and sixty acres of government hand very actual settler thereon within any of said Territories, under such regulations and instructions as shall secure an actual and bond fide or cupation and permanent improvement thereof; the till thereof to b transferred to said occupant at such time and on such conditions as the committee may deem advisable to secure the permanent settle transferred to said occupant at such time and on such conditions as the committee may deem advisable to secure the permanent settlement and improvement of said lands; and that no person shall be entitled to receive from the government more than one donation of land under the provisions of said bill. Also, providing that the inhabitants of each of said Territories shall provide for and pay the current expenditures of said territories shall provide for and pay the current expenditures of said territories shall provide for and pay the current expenditures of said territories shall remain in a territorial form of government until the linhabitants of a Territory shall be equal to the number required for one representative under the ratio of congressional representation; and that the jeople of any of said Territories who may desire to establish a State government, having the requisite number of inhabitants, and having formed a constitution for such State government, shall cause the same to be submitted to a fair vote of the legal voters of such Territory for approval or rejection.

Mr. PHELPS, of Missouri, from the Committee of Ways and Means, reported the following bills; which were severally read twice and referred to the Committee of the Whole on the state of the Union, and, togethe with the accompanying papers, ordered to be printed:

A bill making appropriations for the consular and diplomatic expenses of the government for the year ending June 30, 1860.

A bill making appropriations for the support of the army for the year ending June 30, 1860.

Mr. CAVANAUGH, of Minnesota, on leave, introduced a bill for the organization of Dacota, and for other pur-poses; which was read twice and referred to the Commit-tee on Territories.

# \* THE PENSION BILL.

On motion of Mr. PHELPS, of Missouri, the House On motion of Mr. PHELPS, of Missouri, the House then went into Committee of the Whole on the state of the Union—ayes 97, noes 49—(Mr. Hopkins, of Vir-ginia, in the chair)—and resumed the consideration of the bill guarting persions to the officers and soldiers of the war with Great Britain of 1812, and those engaged in Indian wars during that period; the question being on the amendment of Mr. UNDERWOOD, of Kentucky, to in-clude those who served in Wayne's Indian war,

Mr. CLARK, of Missouri, offered an amendment ex-tending the provisions of the bill to the Territories so as to include those settlers of Missouri who had suffered from the incursions of the Indians.

Mr. ATKINS, of Tennessee, regretted to see the bill loaded down with amendments. He felt it due to the memory of the dead, as well as to the gallant living, to

grant these pensions.

Mr. KUNKEL, of Pennsylvania, had no intention that

Mr. KUNKEL, of Pennsylvania, had no intention that this debate should be confined to the members from Tennessee and Kentucky. He claimed Pennsylvania as the soldier State of the Union. There were three things no public man in Pennsylvania could dare to do and live. He never dared vote against supplies to the army when the country was actually engaged in war, vote against a fair and honorable accession of territory, or vote against granting pensions to the old soldiers.

Mr. SANDIDGE, of Louisiana, quoted from the report of Mr. Calhoun to show that the amount that would be paid under this bill would equal the entire amount

port of Mr. Camoun to snow that the amount the be paid under this bill would equal the entire paid to them during the war.

The amendment of Mr. CLARK was rejected. The amendment of Mr. Clank was rejected.

Mr. WHITELEY, of Delaware, offered an amendment to exclude the soldiers of those States which passed laws prohibiting their militia from going without their borders, and refused to place their militia under command of the President of the United States when Congress had declared war. Under the present bill these soldiers could claim a pension. He contended that the man who would

declared war. Under the present bill these soldiers could claim a pension. He contended that the man who would not fight for his country save upon the hope of a pension ought to leave his country for his country's good.

Mr. DAVIDSON, of Louisiana, regretted that he had not time to reply to the remarks of Mr. Cenar, of Alabama. The souls of the soldiers of the war of 1812 had been tried; they had only had their services recognised once, and then but for a little time, and he hoped that the present Congress would perform its duty in passing the bill before them.

The amendment of Mr. Wurreney was defeated.

The amendment of Mr. WHITKLEY was defeated. The question recurring on the am ELL, of Georgia — Mr. SHERMAN, of Ohio, said he wanted to place the

of Kenticky, Tosoibs, and Ward—22.

New SEXATE CHAMEIR.

Mr. BERIGHT, from the Committee on Public Buildings and Grounds, who were instructed by a resolution of the Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the new Senate to inquire into the condition of the proposition with the proper ceremony on removing thereto, reported that by the fourth day of January next the chamber can be finished and fornished in a suitable manner for the

as full pensions to those who were not in the service as to those who had fought the battles of the country.

Mr. GARTRELL explained the effect of his amendment. The bill under consideration proposed to give the officers and soldiers pay according to their rank in the line, not exceeding the pay of a captain of infantry. As it now stood, a large number of the officers would receive \$480 per annum and some less than that amount. He proposed to place the pensions all at \$96 a year—to place the officers and soldiers upon an equal footing. He saw no reason for discrimination.

place the officers and soldiers upon an equal footing. He saw no reason for discrimination.

Mr. MILLSON, of Virginia, said the country had not been unmindful nor ungrateful for the services which these old soldiers had rendered. More than one hundred and fifty millions of dollars had been paid in military pensions and bounty to the soldiers engaged in all the wars; and he felt surprised that at a time when the finances of the country were disordered, when they were reminded by the President and the Secretary of the Treas
y of the necessity of providing more means to meet the current expenses of the government, that any one could seriously propose the passage of a measure like this. It would involve an expenditure of nearly one hundred millions of dollars, and where was the money to come from, unless they increased the duties upon imports? He could not express his surprise and regret that gentlemen whom he knew agreed with him in opposition to the extension of a protective tariff system, should select the present opportunity for adding such a burden to the pubat opportunity for adding such a burden to the pub-

c debt.

Mr. CURRY, of Alabama, defended the position which he had heretofore assumed with reference to this bill, which he contended gave to the beneficiaries the same amount per annum that they received for the whole

war,
Mr. GROW, of Pennsylvania, expressed himself in
favor of the substitute which Mr. FENTON, of New York,
had given notice that he would offer. These pensions
should certainly commence from the time the soldiers

Maryland, particularly those of Bladensburg, from the imputations which had been cust upon their bravery. History, with its impartial verdict, had placed the charge of improper conduct in connexion with the disasters on that field upon the then Secretary of War. He needed not, either before the House or the country, to stand up the defender of the old Maryland line.

the defender of the old Maryland line.

After further debate of an unimportant character,
Mr. MARSHALL, of Kentucky, moved that the bill
be reported to the House, with the recommendation that
the enacting clause be stricken out; which motion was

agreed to—ayes 82, noes 76.
On motion of Mr. SMITH, of Tennessee, the committee

the SPEAKER stated the question to be, "Shall the enacting clause of the bill be striken out?"

The previous question being demanded and seconded, and the main question ordered, the question was taken, and the House refused to strike out the enacting clause—

eas 55, nays 127.

Mr. SAVAGE then offered a substitute for the original Mr. SAVAGE then offered a substitute for the original bill, providing that each surviving officer, non-commis-sioned officer, musician, and private, who shall have served for a term of sixty days, or shall have engaged in actual battle, shall be authorized to receive a pension to commence on the first day of the present Congress, and continue during his natural life; that each officer, &c., who served in the regular army, volunteers of the States and Territories, for the space of sixty days in fighting the Indians, shall be entitled to the benefits of the act; that if any officer, &c., shall have died, his widow shall be entitled to receive the same pension to which her husband would have been entitled; that the payments will be made at such time and place as the Secretary of the Interior may direct; that no officer or his widow shall receive the same until he shall have furnished the secretary of the Interior with satisfactory proof that he Secretary of the Interior with satisfactory proof that he is entitled to the same in accordance with the provisions of the act; that the pay shall not be transferable nor seizable by any legal process, but shall go to the beneficiaries; and that scamen and marines engaged in these wars shall be entitled to the same benefits conferred upon the land forces—the pensions to be paid at the rate of \$96 a vear for welve months' service. \$95 a vear for six

year for twelve months' service, \$95 a year for six months' service, and \$50 a year for sixty days' service. Mr. S. demanded the previous question; pending Mr. BRANCH, of North Carolina, raised the point of order that the bill made an appropriation of money, and herefore should be first considered in Committee of the

Whole on the state of the Union.

The SPEAKER overruled the question of order. The bill had been considered in Committee of the Whole and the committee had reported it to the House with a recomnendation

The question being taken on seconding the previous uestion, it was decided in the negative—ayes 82, noes

Mr. FENTON, of New York, then offered a substitute for the substitute submitted by Mr. Savage, providin that those who had been disabled by wounds received i these wars should receive pensions, to be regulated according to existing laws in relation to the pay of invalid pensions, provided the amount of any pension they may heretofree have received be deducted from the pensions to the design of the pension to the pension to the tripe of the pension to the pension the pension that the pension the pension the pension that the pens date from the time of being disabled. He d

the previous question.

The previous question received a second—ayes 91, noes 83—and the main question was ordered.

The question being then taken on the substitute of

The question being then taken on the substitute of Mr. Fixtox, it was rejected—yeas 97, nays 99.

The question recurring on the substitute,
Mr. SEWARD, of Georgia, moved that the whole subject be laid on the table: which motion was disagreed to.
Mr. WALBRIDGE, of Michigan, then moved that the House adjourn; which motion being negatived—ayes 91, nocs 104—he moved that when the House adjourn it adjourn to most on. Thursday next; which motion did djourn to meet on Thursday next; which motion did

substitute of Mr. SAVAGE was then agreed toyeas 122, nays 61-as follows:

YEAS—Mesers. Abbott, Adrain, Abt, Andorson, Andrews, Arnold, Atkins, Avery, Bennett, Billinghurst, Bingham, B. hop, Bies, Bowie, Brayton, Budinton, Burlingame, Luraett, Barrae, Caruthers, Case, Choffee, Erra Cark, John B. Cark, Clawson, Clay, Cobb, Clark B. Codrane, Cockerill, Colfax, Comins, Covode, Cx, James Craig, Curtis, Jos., G. Davie, Timothy Bavis of Massachusetts, Dawes, Dean, Dewart, Diek, Dodd, Boafee, Elio I., Farnsworth, Fenton, Florence, Foley, Foster, Gartrell, Giddings, Gimer, Goodwin, Granger, Gregg, Lawrence W. Hall, Harris, Haskin, Haich, Hawkins, Hoard, Hopkins, Houston, Hoghes, Huyler, Jewett, Keim, Kellogg, Kilgore, John C. Kunkel, Lawrence, Louly, Humahirey Marshall, Samnel S. Marshall, Mason, Maynard, Morrill, Edward. Joy Morrie, Isaac N. Morris, Murray, Niback, Palmor, Larker, Pendleton, Pettil, Pyten, Pike, Pottle, Purviance, Beady, Rosgan, Beilly, Ricatol, Robbins, Roberts, Royce, Rossell, Savage, John Sherman, Shorter, Robert Smith, Samuel A. Smith, Spinner, Starten, Sevenson, Win, Stowart, Talliot, Tappan, Thayer, Tompkins, Trippe, Underwood, Vallandigham, Vance, Waldron, Ward, Israel Washburn, Watkins, White, Won Ison, John M. Wright, and Zollicoffer—122.

NAYS—Mesers. Barisadalo, Hocock, Bonham, Branch, Caskie, Chapman, Horace F. Clark, Burton Craige, Carry, Reuben Inavis, T. Davis of Iows, Isowell, Bilmundson, Giman, Goode, Greenwood, Groosbeck, Grow, Robert B. Hall, Marlan, Hill, Horton, Howard, Jackson, Jankins, G. W. Jones, Kualen, Hillern, Horton, Howard, Jackson, Jankins, G. W. Jones, O. Jones, Kuapp, Lunar, Leiber, Leiter, Lecher, Lavrigov, Machay, Mchucen, Miller, Millson, Moore, Mogan, Freeman H. Morse, Mott, Nichols, John S. Helps, Min, W. Phelps, Phillips, Ritche, Sandidge, Seales, Seward, Henry M. Thaw, Jankson, W. Sherman, Singleton, William Smith, Stallworth, Mes Taylor, Wade, Wa bridge, Cadwallader C. Warbburn, Etihu B. Washburn, Ethiu B. Washburn, Ethiu B. Washburn, Ethiu B. Washburn, Chapper, Callerin, G. Carkallader C. Warbburn, Ethiu B. Washburne, Walking, W.

The question recurring on the engressment and third

eading of the bill—
Mr. WHITELEY, of Delaware, moved that the House ljourn; pending which,
"The SPEAKER laid before the House the resignation

The SPEAKER had before the House the resignation of Hon. John Kelley, of New York.

The SPEAKER also laid before the House a communication from the Secretary of the Navy, transmitting a detailed statement of the expenditures of the contingent find of that department for the year ending June 30th. tilled statement of the expenditures of the contingent fined of that department for the year ending June 30th, 1858; which was laid on the table and ordered to be printed. inted.

The question was being taken on the motion to adjourn

by tellers, when
Mr. BURNETT, of Kentucky, called for the yeas and nays; which were ordered.

Mr. WHITELEY then withdrew the motion to adjourn; and the question recurring on the engressment and third

eading of the bill—
Mr. DAVIS, of Mississippi, moved that the House adourn; which motion was not agreed to—ayes 64, noes The bill was next ordered to be engrossed and read the ord time; when Mr. HOUSTON, of Alabama, called for the reading of

ne engrossed bill; which was read.

The question recurring on the passage of the bill as mended by the adoption of the substitute of Mr. Mr. STANTON, of Ohio, moved that the Hou ourn; which motion was not agreed to-ayes 73, noes

Mr. WASHBURNE, of Illinois, moved that the House adjourn till Thursday next; which motion was not agreed Mr. DAVIS, of Mississippi, then moved that the House

nays 89.

Mr. BURNETT stated that if gentlemen would let the previous question be esteonded, the friends of the bill would agree to adjourn.

Several Manners. "Agreed."

SPEECH OF HON S 4 DOUGLAS

[From the N. O. True Della, of 1ec. 8.]

[The collewing speech was delivered by the distinguished sendent limes at the mass meeting on Montay night. The report is obstantially correct—lecidedly the most correct exposition of the matter's equations on the great question of the day that has been unit be positioned. From the position of this reporter's deak on the 4ff. In it was improvible to hear distinctly every word that fell from a smeaker's first!

Mg. PRESIDENT AND CITIZENS OF NEW ORLEANS: It was with hesitation, and almost refuctantly, I yielded my assent to address you on this occasion. I had just passed through a fierce contest in my own State, and it was neither agree-

a fierce contest in my own State, and it was neither agree able nor consistent with my strength.

My visit to New Orleans was on private business, to pass my time quietly and have no connexion with politics. When I approached your city, as I supposed, unharalded and unknown, I was amazed by the magnificent reception extended to me on the levee of the Grescent city. To be welcomed by such a vast concourse, by the constituted authorities, by citizens in their individual capacity, by my own political friends, and by all parties, was a compliment that filled my heart with gratitude and did not leave me at liberty to decline the first request made of me by which I could make a return, and I yielded on this occasion to make a few remarks on the political topics which agitate the public mind through the length and breadth of this glorious republic. One portical topics which aguate the public limit through the length and breadth of this glorious republic. One consolation is yielded me—I desire to know whether the political principles that are orthodox in the free States pass current in the slave holding States. We live under a common constitution, and any political creed that can-not be promulgated in Louisiana as fearlessly and boldly as in Illinois must be unsound and unsafe. With the view of testing this matter. I shall simply discuss the

view of testing this matter, I shall simply discuss these exciting questions in the same way as I have and always will do before an Illinois audience.

During the last fifteen years the tendency of events has been to show that some irreconcilable difference existed between the North and the South, and prevented harmony between them. For the last twenty-five years I have been in public life, fifteen of them spent in Congress, and during that time I have been devoted to the consideration and the discovery of some common ground on which North and South could unite on terms of equality and justice. If you will take pains to examine the histery of this sectional quarrel, you will find that it has grown out of attempts on the part of the federal government to usurp or assume the exercise of power not clearment to usurp or assume the exercise of power not clearly conferred on it by the federal constitution. When the government was formed the confederacy consisted of thirteen States, twelve of which were slaveholding and

one free State.

If the fatal heresy proclaimed by Mr. Lincoln in Illinois, by Mr. Seward in New York, and by other leaders of the abolition party, that all should become free States, that they must be one thing or the other, what would that they must be one thing or the other, what would have been the consequence? Do you think that one free State would have controlled the twelve slave States? Would not the slaveholding States thus have fastened slavery irrevocably and irredocmably by the provision of the constitution? Why was not that done? Simply because the great principles of civil liberty were dea

to the framers of our government than sectional power or advantage.

The government was formed on the principles of Staterights and State sovereignty. It is a confederacy of sovereign and independent States with a certain common purpose, each having the right to manage its own affairs and preserve its own liberty inside its own jurisdiction. It is a fatal heresy to proclaim the doctrine that there ought to be or can be uniformity among the local and domestic institutions of the different States of the Union. Uniformity is neither possible proclaims. Uniformity is neither possible nor desirable. Our fathers knew, when preparing a form of government, that it must necessarily be corresponding to the variety of interests requiring laws and different institutions adapted to the wants and necessary to each locality. They knew it was an essential principle of a confederated form of government.

You will find a vast difference on this point between the

You will find a vast difference on this point between the black-rapublican party on one side and the democratic party on the other. It is true that there may be individual exceptions to that classification recently made.

Sectionalism has recently prevailed, principally at the North, until no southern man would vote for a northern candidate, and no southern man would trust a northern one. I can well understand how unscrupulous northerners who prefer their own elevation to the glory and perpetuity of the Union, being in the majority, may advocate this doctrine. ocate this doctrine.

How long has this doctrine prevailed? As long as the

outhern States were in the majority and we in the mi-nority, so long was the freedom of the minority just, and the right of each State to manage its own affairs, without the interference of the others.

But when the free States increased until they began to

preponderate, they wanted to give laws to the southern States, and some northern leaders did not hesitate to raise the whirlwind, that they might ride into power. Thus, from the first, the republican party was a sec tional organization in its principles and policy. Every argument they use is addressed to northern fanatichen and against southern people and southern institutions. This baneful influence increased to such an extent as

to induce southern men to organize a southern party to fight against this northern abolition party.

Thus the attempt was made to introduce the test, not whether they were faithful to the constitution, to their own States and their domestic affairs, but whether they were true to the North or faithful to the South. The constitution recognises no such division. The constitution constitution recognises no such division. The constitu-tion recognises no North or South, but one republic, un

tion recognises no North or South, but one republic, un-der a common constitution, and thirty-two independent States. Through my State 1 owe allegiance to the fed-eral government, but to no other power on earth. Let those principles be observed an learried out, and there will be peace in the North and in the South, and between all the States of this glorious country. When addressing a large crowd of abolitionists, I was answered that slavery is so great an evil that their consciences wil not permit them to be quiet about it, even after perform ing their whole duty in their own State.

Declaration of Independence—that all men are create equal, and endowed with inalienable rights of life, liber ty, and the pursuit of happiness—and then stop and say, does not that declaration tell you that all men are equal? And are not negroes men? and are they not equal to white men? And hence, have they not divine right and inalienable privileges? and how can you reduce them to an inferior position by human laws? This is specious sophistry, by which the abolitionists have brought weak minded men and silly old women to really believe that sophistry, by which the abolitionists have brought weak minded men and silly old women to really believe that negroes are their brothers. And I must say, a great portion of you southerners quail under that argument. My answer is this—when the framers of the declaration of independence declared that all men were created free and equal, they had no reference to the negro race. They spoke of white men, of European blood and december tween them the negro between the property of and descent, upon whom the negro, belonging to an in-ferior race, was dependent. First, bear in mind that at the time that declaration was drafted—every colony was a slave holding colony. Second, that the representatives in the colonial Congress represented a slave-holding con-stituency. It is clear, then, that as such was the fact, the framers of that Immortal instrument would have been hypocrites if the phrases alluded to admitted of an equals, then hold them as slaves the balance of the

on those glorious sages and statesmen. "They were speak-ing of white men of European origin, net of the negro of any other inferior race. This government was made by white men for the benefit of white men and their posterwhite men for the benefit of white men and their posterity, to be administered by white men and none others. The true we had among us offer inferior ractal incapable of self-government, and dependent on us for protection. It is the law of humanity, the law of civilization, all the world over, that whenever men, or a race of men, show themselves incapable of managing their own affairs, they must consent to be governed by those capable of doing so. On that principle are established charitable institutions for the deaf, the blind, the insane, and other unfortunates. Those incapable of governing themselves must be governed by others. According to that principle the negro race, in all ages and in all parts of the the negro race, in all ages and in all parts of the world, have shown themselves incapable of self-govern-ment. The negro race have attained a higher moral culture and civilization in the southern States than in any other part of the world.

From these considerations I arrive at the conclusion that the negro race is inferior, and, I believe, not composed of elements of governing power under the American system of government. Yet they are human beings, and as such they are entitled to all privileges, immunities, and kindness that may be extended to them consistties, and kindness that may be extended to them e ent with the safety of the society where they live ent with the safety of the society where they live. It is to be presumed that all men, no matter what their projudices, politics, or religion may be, agree that humanity compels us to extend to the negro all the privileges and all the facilities consistent with the good of society. You will ask me, as the abolitionists have asked me, what are these rights!

I return the same answer to you as I have to the a It is a question for each State to decide for itself inde-pendent of the wish of other States. Himose has a cided that question for herself. We adopted a line of polic, there satisfactory to us. If you don't like it, we regret your Several Meanurs. "Agreed."

The previous question was then esconded; and, on motion of Mr. BUENETT, the House adjourned.